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May 31, 2022

BY ECF

Honorable Robert W. Lehrburger
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007-1312

Re: *A.C. v. New York City Department of Education*,
20-CV-04807 (JMF) (RWL)

Your Honor:

I am an Assistant Corporation Counsel in the Office of the Corporation Counsel of the City of New York, attorney for Defendants New York City Department of Education ("DOE"), New York City Board of Education, and DOE Chancellor David C. Banks in the above-referenced matter. Plaintiff, the parent of a student with a disability, seeks relief pursuant to the Individuals with Disabilities Education Improvement Act ("IDEA"), 20 U.S.C. § 1400 *et seq.*, *inter alia*, for the DOE's alleged failure to implement favorable administrative decisions.

Pursuant to the Court's Order dated May 2, 2022 (ECF No. 68), I write jointly with Plaintiffs' counsel to respectfully request (1) a brief, 10-day extension of time, from May 31, 2022 until June 10, 2022, for the parties to submit their joint status report; and (2) a corresponding extension of time, from June 7, 2022 until June 17, 2022, for the parties to submit a proposed schedule for completing discovery and dispositive motions. I apologize to the Court for the lateness of this request in light of Your Honor's Individual Practices. This is the first request for such an extension.

By way of background, the Court's Order dated May 2, 2022 directed the parties to submit a joint status report by May 31, 2022. The Court's Order further directed the parties by June 7, 2022 to submit a proposed schedule for completing discovery and dispositive motions if the parties have not agreed to settlement of the compensatory educational services by the May 31, 2022 status report.

The reason for the requested enlargement is that I was recently out sick for one week as my entire immediate family and I contracted COVID-19, and one family member has developed serious complications as a result of the virus. The requested extension, therefore, will enable the parties to determine if they currently have a settlement agreement on the educational services, and, if not, to submit a proposed schedule.

The parties thank the Court for its consideration of this request.

Respectfully submitted,

/s/

Philip S. Frank
Assistant Corporation Counsel

cc: All counsel of record (by ECF)

Extensions granted.

SO ORDERED:

5/31/2022



HON. ROBERT W. LEHRBURGER
UNITED STATES MAGISTRATE JUDGE